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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/713,369	BEASLEY, PETER M.
	Examiner	Art Unit	
	MICHAEL LE	2163	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 July 2009</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
      closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5,10,12-15,17-20 and 22-34</u> is/are pending in the application.

    4a) Of the above claim(s) <u>22-31</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5,10,12-15,17-20,22 and 32-34</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>06 July 2009</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Summary and Status of Claims

1.   This Office Action is in response to Applicant's reply filed July 6, 2009.

2.   Claim 34 is newly added.

3.   Claims 1-5, 10, 12-15, 17-20, and 22-34 are pending.

4.   Claims 23-31 are withdrawn from consideration.

5.   Claims 1-5, 10, 12-15, 17-20, 22, and 32-34 have been examined below.

6.   Claim 20 is rejected under 35 U.S.C. 101.

7.   Claims 1-5, 10, 12-15, 17-20, 22, 32, 33 and 34 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Wilkinson et al. (US Patent Pub 2002/0143775) of record, in view of

Bly et al. (US patent Pub 2002/0077944) of record.

8.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Specification

9.   The amendment filed July 6, 2009 is objected to under 35 U.S.C. 132(a) because it

introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall

introduce new matter into the disclosure of the invention. The added material which is not

supported by the original disclosure is as follows: The added description of a computer-readable

medium in paragraph 0057 contains material which is not supported by the original disclosure.

10.   Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 101

11.   **Claim 20 is rejected under 35 U.S.C. 101** because the claimed invention is directed to

non-statutory subject matter.

12.   The basis of this rejection is set forth in a test of whether the invention is categorized as a

process, machine, manufacture or composition of matter.

13.   In the present case, **claim 20** recites a computer program embodied on a computer

readable medium. It is unclear from the specification what is encompassed by the computer

readable medium. In view of Applicant's amendment to the specification, which is objected to as

set forth above, the Examiner interprets the computer readable medium of claim 20 to also

encompass nonstatutory subject matter. The amendment states that a medium can be various

things such as firmware. Firmware is software and not a physical computer medium. Therefore,

even if Applicant's amendment were entered, it would not resolve the 101 issue of claim 20. In

accordance with the specification objection set forth above, Applicant should cancel the new

matter in reply to this Office Action and make a positive statement that the computer readable

medium of the claim is not intended to encompass software, signals, or other transmission media.

14.   To expedite a complete examination of the instant application, the claims rejected under

35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of

applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 103

15.   **Claims 1-5, 10, 12-15, 17-20, 22, 32, 33 and 34 are rejected under 35 U.S.C. 103(a) as**

being unpatentable over Wilkinson et al. (US Patent Pub 2002/0143775) (Wilkinson) of

record, in view of Bly et al. (US patent Pub 2002/0077944) (Bly) of record.

16.   In regards to **claim 1**, Wilkinson discloses an apparatus for managing an infrastructure

comprising:

      a.   a computer (Wilkinson at para. 0020 "server");

      b.   a user interface communicably coupled to the computer (Wilkinson at para. 0020

      "browser");

      c.   a database communicably coupled to the computer (Wilkinson at para. 0020), the

      database containing two or more records, each record having a unique identifier and one

      or more data fields representing attributes of an asset or asset related item within the

      infrastructure (Wilkinson at para. 0049, lines 1-4), and all the records are linked in a

      database structure to represent the assets and asset related items (1) in a hierarchical

      manner in accordance with one or more business rules of the infrastructure that define

      how the assets and asset related items are interconnected (Wilkinson at para. 0037-8[1]),

      and (3a) how one or more persons use the assets and asset related items (Wilkinson at

      Fig. 5; para 0034-5)[2]; and

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[1] Taxonomy is interpreted as "business rules."
[2] The projects are created by a user and show how a user wishes to access the system (i.e., how the user uses the assets and related items).

     d.   a computer program embodied on a computer readable medium that is executed

by the computer to manage the infrastructure using the database. Wilkinson at para.

0021.

17.   Wilkinson does not expressly disclose that the records in the database are linked to

represent assets and asset related items (2) in a life cycle of the asset and asset related items.

18.   Bly discloses an asset database containing records of assets with attributes such as

operating life. Bly at fig. 14; para. 0146.

19.   Wilkinson and Bly are analogous art because they are both directed toward the same

endeavor of asset management.

20.   At the time of the invention it would have been obvious to one of ordinary skill in the art

to modify the apparatus of Wilkinson by adding the feature of having the records in the database

represent assets and asset related items (2) in a life cycle of the asset and asset related items, as

taught by Bly.

21.   The motivation for doing so would have been because the life cycle of an asset is

important in determining characteristics of an asset, such as maintenance cost, sales value, etc.

Bly at para. 0009.

22.   In regards to **claim 2**, Wilkinson in view of Bly discloses the apparatus as recited in

claim 1, wherein the one or more data fields further represent attributes of a sub-element for one

or more assets. Wilkinson at para. 047.

23.   In regards to **claims 3**, Wilkinson in view of Bly discloses the apparatus as recited in

claim 1, wherein the one or more data fields representing attributes of the asset or asset related

item include an asset name data field, a manufacturer name data field, a make data field (Bly at

Fig. 14), a model number data field, a serial number data field, a description data field, a

purchase date data field, an expiration date data field, a purchase cost data field or an operating

characteristics data field.

24.   In regards to **claim 4**, Wilkinson in view of Bly disclose the apparatus as recited in claim

1, wherein the data records for the asset related items store data corresponding to places,

connections, contracts (Bly at para. 0119)[3], documentation or financials.

25.   In regards to **claim 5**, Wilkinson in view of Bly disclose the apparatus as recited in claim

4, wherein:

      a.   the places include physical sites or locations (Bly at Fig. 14 "location field");

      b.   the connections include electrical connections (Bly at Fig. 9 "Power"), physical

      connections, logical connections, communication links, interfaces, junctions, circuits or

      patch panels;

      c.   the contracts include leases (Bly at para. 0119), title documents, maintenance

      contracts, license agreements, clients contracts, resource allocation or service-level

      agreements;

      d.   the documentation includes support documents, maintenance schedules (Bly at

      Fig. 6), procedural documentation, operational documentation or policy documentation;

      and

      e.   the financials include purchase records, repair records, warranties, operational

      costs (Bly at Fig. 14), charge-backs or down-time costs.

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[3] Lease information is interpreted as contracts.

26.   In regards to **claim 10**, Wilkinson in view of Bly discloses the apparatus are recited in

claim 1, wherein the life cycle of the asset and asset related items comprises procurement,

implementation, usage (Bly at Fig. 14), modification, change, decommission, disposal or salvage

information about the asset or asset related item.

27.   In regards to **claim 12**, Wilkinson discloses a method for managing an infrastructure

using a computer comprising the steps of:

       a.   providing a database communicably coupled to the computer, wherein the

       database contains two or more records, each record having a unique identifier and one or

       more data fields representing attributes of an asset or asset related item within the

       infrastructure (Wilkinson at para. 0049, lines 1-4), and all the records are linked in a

       database structure to represent the assets and asset related items (1) in a hierarchical

       manner in accordance with one or more business rules of the infrastructure that define

       how the assets and asset related items are interconnected(Wilkinson at para. 0037-8[4]),

       and (3a) how one or more persons use the assets and asset related items (Wilkinson at

       Fig. 5; para 0034-5)[5];

       b.   processing one or more user requests using the computer to display or report

       information stored in the database (Wilkinson at para. 0045); and

       c.   updating the database using the computer as asset or asset related items are

       procured, implemented, changed or disposed. Wilkinson at Fig. 11; para. 0081-4.

28.   Wilkinson does not expressly disclose that the records in the database are linked to

represent assets and asset related items (2) in a life cycle of the asset and asset related items.

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[4] Taxonomy is interpreted as "business rules."

29.   Bly discloses an asset database containing records of assets with attributes such as
operating life. Bly at fig. 14; para. 0146.

30.   Wilkinson and Bly are analogous art because they are both directed toward the same
endeavor of asset management.

31.   At the time of the invention it would have been obvious to one of ordinary skill in the art
to modify the apparatus of Wilkinson by adding the feature of having the records in the database
represent assets and asset related items (2) in a life cycle of the asset and asset related items, as
taught by Bly.

32.   The motivation for doing so would have been because the life cycle of an asset is
important in determining characteristics of an asset, such as maintenance cost, sales value, etc.
Bly at para. 0009.

33.   In regards to **claim 13**, Wilkinson in view of Bly discloses the method as recited in claim
12, further comprising the step of creating the database. Wilkinson at para. 0075.

34.   In regards to **claim 14**, Wilkinson in view of Bly discloses the method as recited in claim
13, wherein the step of creating the database comprises the steps of:

        a.   identifying one or more boundaries for the infrastructure (Wilkinson at para.
        0018[6]);

        b.   identifying the assets within the boundaries (Wilkinson at para. 0036);

        c.   identifying the items related to the assets (Wilkinson at para. 0060);

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[5] The projects are created by a user and show how a user wishes to access the system (i.e., how the user uses the
assets and related items).
[6] The number of ingest stations is interpreted as one or more boundaries because the ingest stations make up the
infrastructure.

    d.   identifying one or more persons that use the assets and asset related items

(Wilkinson at para. 0051; para. 0087);

    e.   determining the attributes associated with each asset and asset related item

(Wilkinson at para. 0035; para. 0041; para. 0045);

    f.   determining the business rules of the infrastructure that define how the assets and

related items are interconnected (Wilkinson at para. 0051; para. 0058; para. 0060); and

    g.   creating each record and storing the record in the database. Wilkinson at para.

0075.

35.   In regards to **claim 15,** Wilkinson in view of Bly discloses the method as recited in claim

14, further comprising the steps of:

    a.   determining one or more sub-elements for the assets and one or more attributes

associated with the sub-elements (Wilkinson at para. 0047); and

    b.   determining one or more business rules for how the sub-elements and assets are

linked. Wilkinson at para. 0047.

36.   In regards to **claim 17,** Wilkinson in view of Bly discloses the method as recited in claim

14, further comprising the step of identifying one or more people who use information about the

asset. Wilkinson at para. 0087[7].

37.   In regards to **claim 18,** Wilkinson in view of Bly discloses the method as recited in claim

14, further comprising the step of designing data display and report formats. Bly at para. 0128;

para. 0146.

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[7] Travel agents are one or more people who use information about the assets.

38.   In regards to **claim 19**, Wilkinson in view of Bly discloses the method as recited in claim

14, further comprising the steps of:

      a.   identifying a managing agency (Wilkinson at para. 0007; para. 0087); and

      b.   determining one or more goals for the managing agency. Wilkinson at para.

      0087[8].

39.   **Claim 20** is essentially the same as claim 12 in the form of a computer program on a

computer readable medium and is therefore rejected for the same reasons. Wilkinson at para.

0021.

40.   In regards to **claim 22**, Wilkinson in view of Bly discloses the method as recited in claim

12, further comprising the step of determining who or what is affected by a change in one or

more of the assets or asset related items using the one or more business rules and the hierarchy.

Wilkinson at para. 0035[9].

41.   In regards to **claim 32**, Wilkinson discloses a method of using a computerized asset

management system comprising the steps of:

      a.   providing a database communicably coupled to a computer, wherein the database

      contains two or more records, each record having a unique identifier and one or more

      data fields representing attributes of an asset or asset related item within the infrastructure

      (Wilkinson at para. 0049, lines 1-4), and all the records are linked in a database structure

      to represent the assets and asset related items (1) in a hierarchical manner in accordance

      with one or more business rules of the infrastructure that define how the assets and asset

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[8] The managing agency is interpreted as a traveling agency because they manage and use the assets. Their
customizations and preferences is interpreted as "determining one or more goals for the managing agency."
[9] Projects are created by users. Changes to the assets would affect the projects and in turn the users. These affects
are determined through the hierarchy shown in Fig. 5.

related items are interconnected(Wilkinson at para. 0037-8[10]), and (3a) how one or more

persons use the assets and asset related items (Wilkinson at Fig. 5; para 0034-5)[11]; and

b.   accessing the database using the computer to determine who or what is affected

by a change in one or more of the assets or asset related items using the one or more

business rules and the hierarchy. Wilkinson at para. 0035[12].

42.   Wilkinson does not expressly disclose that the records in the database are linked to

represent assets and asset related items (2) in a life cycle of the asset and asset related items.

43.   Bly discloses an asset database containing records of assets with attributes such as

operating life. Bly at fig. 14; para. 0146.

44.   Wilkinson and Bly are analogous art because they are both directed toward the same

endeavor of asset management.

45.   At the time of the invention it would have been obvious to one of ordinary skill in the art

to modify the apparatus of Wilkinson by adding the feature of having the records in the database

represent assets and asset related items (2) in a life cycle of the asset and asset related items, as

taught by Bly.

46.   The motivation for doing so would have been because the life cycle of an asset is

important in determining characteristics of an asset, such as maintenance cost, sales value, etc.

Bly at para. 0009.

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[10] Taxonomy is interpreted as "business rules."
[11] The projects are created by a user and show how a user wishes to access the system (i.e., how the user uses the assets and related items).
[12] Projects are created by users. Changes to the assets would affect the projects and in turn the users. These affects are determined through the hierarchy shown in Fig. 5.

47.   In regards to **claim 33**, Wilkinson in view of Bly discloses the method as recited in claim

32, further comprising the steps of:

    a.   adding one or more records to the database for one or more new assets, new

    persons, new attributes, new business rules and new boundaries (Wilkinson at para. 0081-

    4);

    b.   providing one or more data screens and reports to the users of the system

    (Wilkinson at para. 0045);

    c.   receiving data from automated systems and storing the received information in the

    database (Bly at para. 0046); and

    d.   customizing the system for one or more applications. Wilkinson at para. 0089.

48.   In regards to **claim 34**, Wilkinson discloses an apparatus for managing an infrastructure

comprising:

    a.   a computer (Wilkinson at para. 0020 "server");

    b.   a user interface communicably coupled to the computer (Wilkinson at para. 0020

    "browser");

    c.   a database communicably coupled to the computer (Wilkinson at para. 0020), the

    database containing two or more records, each record having a unique identifier and one

    or more data fields representing attributes of an asset or asset related item within the

    infrastructure (Wilkinson at para. 0049, lines 1-4), and all the records are linked in a

    database structure to represent the assets and asset related items (1) in a hierarchical

manner in accordance with one or more business rules of the infrastructure that define

how the assets and asset related items are interconnected (Wilkinson at para. 0037-8[13]),

and (3a) how one or more persons use the assets and asset related items (Wilkinson at

Fig. 5; para 0034-5)[14]; and

d.   a computer program embodied on a computer readable medium that is executed

by the computer to manage the infrastructure using the database. Wilkinson at para. 0021.

49.   Wilkinson does not expressly disclose that the records in the database are linked to

represent assets and asset related items (2) in a life cycle of the asset and asset related items and

wherein the one or more data fields representing attributes of the asset or asset related item

include an asset name data field, a manufacturer name data field, a make data field, a model

number data field, a serial number data field, a description data field, a purchase date data field,

an expiration date data field, a purchase cost data field or an operating characteristic data field;

wherein the data records for the asset related items store data corresponding to places,

connections, contracts, documentation or financials; wherein (a) the places include physical sites

or locations, (b) the connections include electrical connections, physical connections, logical

connections, communication links, interfaces, junctions, circuits or patch panels, (c) the contracts

include leases, title documents, maintenance contracts, license agreements, clients contracts,

resource allocation or service-level agreements, (d) the documentation includes support

documents, maintenance schedules, procedural documentation, operational documentation or

policy documentation, and (e) the financials include purchase records, repair records, warranties,

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[13] Taxonomy is interpreted as "business rules."
[14] The projects are created by a user and show how a user wishes to access the system (i.e., how the user uses the assets and related items).

operational costs, charge-backs or down-time costs; and wherein the life cycle of the asset and asset related items comprises procurement, implementation, usage, modification, change, decommission, disposal or salvage information about the asset or asset related item.

50.   Bly discloses an asset database containing records of assets with attributes as well as maintenance history logs and leasing information Bly at fig. 6; fig. 14; para. 0119; para. 0146.

51.   At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the apparatus of Wilkinson by adding the feature of having the records in the database represent assets and asset related items (2) in a life cycle of the asset and asset related items and contain attributes wherein the one or more data fields representing attributes of the asset or asset related item include an asset name data field, a manufacturer name data field, a make data field, a model number data field, a serial number data field, a description data field, a purchase date data field, an expiration date data field, a purchase cost data field or an operating characteristic data field; wherein the data records for the asset related items store data corresponding to places, connections, contracts, documentation or financials; wherein (a) the places include physical sites or locations, (b) the connections include electrical connections, physical connections, logical connections, communication links, interfaces, junctions, circuits or patch panels, (c) the contracts include leases, title documents, maintenance contracts, license agreements, clients contracts, resource allocation or service-level agreements, (d) the documentation includes support documents, maintenance schedules, procedural documentation, operational documentation or policy documentation, and (e) the financials include purchase records, repair records, warranties, operational costs, charge-backs or down-time costs; and wherein the life cycle of the asset and

asset related items comprises procurement, implementation, usage, modification, change,

decommission, disposal or salvage information about the asset or asset related item, as taught by

Bly.

52.   The motivation for doing so would have been because the life cycle of an asset is

important in determining characteristics of an asset, such as maintenance cost, sales value, etc.

Bly at para. 0009.

Response to Amendment

Drawings

53.   Applicant's amendment to the drawings to address insufficient quality is acknowledged.

Consequently, objection to the drawings is withdrawn.

Rejection of Claims 3-5 and 10 under 35 U.S.C 112, Second Paragraph

54.   Applicant's amendment to claims 3-5 and 10 is acknowledged. The rejection to claims 3-

5 and 10 under 35 U.S.C. 112, second paragraph is withdrawn.

Rejection of Claims 3-5, 10, 12-15, 17-20, 22, 32, and 33 under 35 U.S.C 101

55.   Applicant's amendment to claims 3-5, 10, 12-15, 17-19, 22, 32, and 33 is acknowledged.

Consequently, the rejection to claims 3-5, 10, 12-15, 17-19, 22, 32, and 33 under 35 U.S.C. 101

is withdrawn. The rejection of claim 20 under 35 U.S.C. 101 is maintained for the reasons set

forth in the rejection above.

Response to Arguments

Rejection of claims 1-5, 10, 12-15, 17-20, 22, 32, and 33 under 35 U.S.C. 103(a)

56.   Applicant's arguments in regards to the rejections to claims 1-5, 10, 12-15, 17-20, 22, 32, and 33 under 35 U.S.C. 103(a), have been fully considered but they are not persuasive. Applicant alleges that Wilkinson fails to disclose (1) "assets or asset related items within an infrastructure", (2) "one or more business rules of the infrastructure that define how the assets and asset related items are interconnected," and in combination with Bly, fails to disclose (3) "the records in the database are linked to represent assets and asset related items in a life cycle of the asset and asset related items" (Remarks at 17-8.) The Examiner respectfully disagrees.

57.   Limitations (1) and (2) are related and will be addressed together. In regards to limitations (1) and (2), Applicant seems to argue Wilkinson fails to disclose the infrastructure recited in the claims because the multi-media asset items of Wilkinson are not the same as the assets or asset related items of the claims. Applicant seems to have a different intended interpretation of assets or asset related items within an infrastructure than interpreted by the Examiner. However, the claims do not require a specific interpretation because assets or asset related items, broadly interpreted, can be many things including multi-media assets. An infrastructure can also broadly interpreted to cover, for example, the underlying system as shown in figure 1 of Wilkinson. Thus, the "assets or asset related items within the infrastructure" recited in the claim is met by the multi-media assets in the system disclosed by Wilkinson. Given this interpretation, in regards to limitation (2), Wilkinson discloses a hierarchical taxonomy. Wilkinson at para. 0037-8; paras. 0050-1. Hierarchical trees, like the one disclosed by Wilkinson, show relationships between its nodes (i.e., business rules of the infrastructure that

define how the assets and asset related items are interconnected). Thus, Wilkinson discloses

limitation (2). Lastly, Applicant alleges Wilkinson in view of Bly fails to disclose limitation (3).

As noted by Applicant, Bly discloses the importance of the maintenance history of an asset

during its operating life. Remarks at 19. Bly also discloses that the asset information is stored in

a database (i.e., database structure). Bly at para. 0045. Bly also discloses the assets having

attributes that can be used to determine operating life such as "Year MFG" and "In Service." Bly

at Fig. 14. Thus, Bly discloses records in the database that are linked to represent assets and

asset related items in a life cycle of the asset and asset related items.

58.   Consequently, the rejection to claims 1-5, 10, 12-15, 17-20, 22, 32, and 33 under 35

U.S.C. 103(a) is maintained.

Conclusion

59.   **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of

the extension of time policy as set forth in 37 CFR 1.136(a).

60.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

61.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Le whose telephone number is 571-272-7970. The examiner can normally be reached on Mon-Thurs : 9:30am-6pm, Fri: 8am-4:30pm.

62.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

63.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Michael Le/   /Wilson Lee/
Examiner, Art Unit 2163   Primary Examiner, Art Unit 2163

11-9-09